

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

For Online Publication Only

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VICTOR RIVAS MORALES,

Plaintiff,

-against-

NASSAU COUNTY CORRECTIONS, *et al.*

Defendants.

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AZRACK, District Judge:

ORDER

21-CV-02554 (JMA)(AKT)

FILED

CLERK

4:26 pm, Jun 21, 2021

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

Incarcerated *pro se* plaintiff Victor Rivas Morales (“plaintiff”) filed a complaint on May 6, 2021 but did not remit the filing fee nor did he file an application to proceed *in forma pauperis* and the required Prisoner Litigation Authorization form (“PLRA”). Accordingly, by Notice of Deficiency dated May 7, 2021, plaintiff was instructed to either, within fourteen (14) days, remit the \$402.00 filing fee or complete a return the enclosed *in forma pauperis* application and PLRA. To date, plaintiff has not complied with the Notice, nor has he otherwise communicated with the Court about this case.¹ Accordingly, it appears that plaintiff is no longer interested in pursuing this case. In an abundance of caution and given plaintiff’s *pro se* status, plaintiff is instructed to either remit the filing fee or file an application to proceed *in forma pauperis* and the PLRA by July 15, 2021. Plaintiff is cautioned that a failure to timely comply with this Order absent a showing of good cause will lead to the dismissal of his complaint without prejudice without further notice, judgment shall enter and this case will be closed.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order

¹ The Court notes that mail sent to plaintiff at his address of record has not been returned and the public records maintained by the State of New York reflect that plaintiff remains incarcerated at the Nassau County Correctional Center. See <https://scoc.ny.gov/inmatelocator.html> (last visited on June 7, 2021).

would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

The Clerk of Court shall mail a copy of this Order to the plaintiff at his address of record.

SO ORDERED.

Dated: June 21, 2021
Central Islip, New York

/s/ (JMA)
JOAN M. AZRACK
United States District Judge